

YOSHIDA — 10/679,508  
Client/Matter: 061063-0306275

### REMARKS

With this Amendment, claims 1-3 and 9-12 are cancelled. Claims 4-8 and 13-21 are pending; and claims 4-8 and 13-21 are amended in the present application. Reconsideration in view of the above amendments and following remarks is respectfully requested.

#### Drawings

Reference to the "dichroic mirror 7" in the Specification has been deleted and thus, the objection to the drawings of Figure 1 is now moot. Replacement drawings containing the legend "Prior Art," will be submitted as a Supplemental Amendment.

#### Claim Objections

Claims 5, 12, and 14 were objected to in the Office Action for informalities. In response, claim 12 is now canceled and claims 5 and 14 have been amended substantially as recommended in the Office Action. Accordingly, withdrawal of the objection is respectfully requested.

#### Claim Rejections — 35 USC § 103

Claims 1, 2, 3, 7, and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,081,332 to Kojima in view of U.S. Patent No. 6,555,811 to Amos.

In response, claims 1-3 have been canceled and claims 7 and 8 now depend from and further limit claim 4, which has been rewritten into independent form as suggested in the Office Action, as set forth below. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 9-12 and 16-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amos in view of Kojima.

In response, claims 9-12 have been canceled and claims 16-18, 20 and 21 now depend from and further limit allowable claim 13, as set forth below. Further, independent claim 19, which is directed to a confocal optical system, has been amended to include a laser scanning microscope including all the limitations of allowable claim 13 and further reciting that the pinhole is disposed "at" the focal point. Thus, claim 13 is now deemed allowable.

Accordingly, withdrawal of the rejection is respectfully requested.

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Allowable Subject Matter

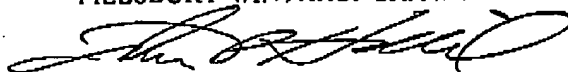
Applicants appreciate the indication that claims 4-6 and 13-15 would be allowable if rewritten into independent form. By this amendment, claims 4 and 13 have been rewritten into independent form as suggested and are thus allowable. Claims 5-8, 14-18, 20 and 21 depend from and further limit one of claims 4 and 13 and are thus allowable at least for the reasons set forth with respect to claims 4 and 13.

In view of the above remarks, it is respectfully submitted that all of the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



THOMAS P. HILLIARD

Reg. No. 40330

Tel. No. 703 770.7591

Fax No. 703 770.7901

Date: May 8, 2006  
P.O. Box 10500  
McLean, VA 22102  
(703) 770-7900